



PATENT
Attorney Docket No. 4173.0348

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
HIDEAKI FUKUZAWA ET AL.) Group Art Unit: 2652
)
Application No.: 08/940,020) Examiner: D. Davis
)
Filed: September 29, 1997) Confirmation No.: 4500
)
For: MAGNETORESISTANCE EFFECT)
DEVICE HAVING HARD)
MAGNETIC FILM STRUCTURAL)
BODY)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

APPLICATION FOR PATENT TERM EXTENSION UNDER 37 C.F.R. § 1.705(b)

Applicants hereby submit this Application for Patent Term Extension in order for the Patent Office to reconsider the patent term extension ("PTE") for the above-identified application.

In the Determination of Patent Term Extension issued by the Patent Office, it was determined that the PTE is 1047 days. However, Applicants believe they are entitled to a PTE of at least 931 days.

Applicants note that Rule 701(d)(1) states that the extension period for delay resulting from appellate review shall be reduced by "[a]ny time during the period of appellate review that occurred before three years from the filing of the first national application." The present application was filed on September 29, 1997, and a Notice of

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Appeal was filed on June 6, 2000. Therefore, a reduction in patent term extension for the time period from June 6, 2000 to September 29, 2000, is required.

A check in the amount of \$200.00 is enclosed with this Application. If any additional required fees are necessary, please charge to deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: _____

5/4/06

By: _____

Richard V. Burgujian
Reg. No. 31,744